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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Forty-second session**  
23 January–3 February 2023

## **Summary of stakeholders' submissions on Guatemala\***

### **Report of the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.<sup>1</sup> It is a summary of 45 stakeholders' submissions<sup>2</sup> for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

#### **II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles**

2. The Procuraduría de los Derechos Humanos de Guatemala (PDH) alerted on the elimination of institutions created on the basis of the Peace Agreements, including the Peace Secretary (SEPAZ), the Agrarian Issues Secretary (SAA), and the Presidential Coordination Commission of the Human Rights Policy (COPREDEH), as well as the transfer of the National Reparations Programme under the Ministry of Development.<sup>3</sup> PDH also denounced the non-renovation of the mandate of the International Commission against Impunity in Guatemala (CICIG)<sup>4</sup>, and the criminalization of prosecutors and justice operators that worked at the CICIG.<sup>5</sup>

3. PDH expressed concern regarding the deterioration of the civic space with restrictions to the freedom of expression and press, the criminalization of human rights defenders (HRD), justice operators and journalists, and the increase of hate speech from the government against these actors and indigenous peoples.<sup>6</sup> PDH reported that the draft Public Policy Proposal for the Protection of Human Rights Defenders remained blocked since 2019.<sup>7</sup>

4. PDH stated that freedom of association and expression was threatened by the new Non-Governmental Organization Law which provided the government more control over NGOs.<sup>8</sup>

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\* The present document is being issued without formal editing.



### **III. Information provided by other stakeholders**

#### **A. Scope of international obligations<sup>9</sup> and cooperation with human rights mechanisms**

5. Several submissions reported the unilateral termination of the agreement between Guatemala and the United Nations for the renewal of CICIG and the persecution and criminalization of some former staff of CICIG.<sup>10</sup> IACHR also regretted the non-renewal of the mandate of the CICIG.<sup>11</sup> AHR recommended renewing the mandate of CICIG.<sup>12</sup>
6. AI recommended ratifying the ICCPR-OP 2.<sup>13</sup>
7. FJEDD suggested the ratification of CED<sup>14</sup> and CMW.<sup>15</sup>
8. JS4, JS5 and JS18 recommended the adoption of the OP-ICESCR.<sup>16</sup>
9. JS7 recommended extending an invitation to all UN Special Procedures mandate holders, prioritizing the Special Rapporteur on the situation of HRD, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the independence of judges and lawyers, the Working Group on arbitrary detention, and the Working Group on business and human rights.<sup>17</sup>
10. Several submissions recommended ratifying the Escazú Agreement.<sup>18</sup>
11. JS7 recommended incorporating the results of the UPR into action plans for the promotion and protection of all human rights.<sup>19</sup>

#### **B. National human rights framework**

##### **1. Constitutional and legislative framework**

12. Several contributions highlighted the adoption by the Congress of changes to the Non-Governmental Organization Law that increased government control over civil society organizations' activities and funding, and creating onerous reporting requirements.<sup>20</sup> AI stressed that the new non-governmental law put at risk the freedom of expression and of association and the right to defend human rights.<sup>21</sup> JS7 indicated that Guatemala was classified as "obstructed" by the CIVICUS indicator.<sup>22</sup> JS7 denounced that civil society groups were subjected to surveillance, breaks-ins and stigmatization.<sup>23</sup> JS7 recommended repealing the reform of the Non-Governmental Organization Law and to bring back this legislation in compliance with the ICCPR articles 21 and 22.<sup>24</sup>
13. JS1 highlighted a setback on the human rights situation in Guatemala because of the prioritization of draft laws that jeopardized the human rights of indigenous peoples while no progress was achieved on other laws to overcome death penalty, inequality or racial discrimination.<sup>25</sup>
14. According to ADF, the definition of psychological violence in the Law Against Femicide and other Forms of Violence Against Women allowed arbitrary and unjustified restrictions on the right to freedom of expression<sup>26</sup> and underlined the need to amend that law.<sup>27</sup>
15. JS4, JS15 and JS27 recommended the approval of the Law for the Economic Development of Women – LeyDem.<sup>28</sup>

##### **2. Institutional infrastructure and policy measures**

16. JS15 stated that, despite the signature of the Peace Agreement in Guatemala, the causes that triggered it such as political, social and cultural exclusion as well as excessive socioeconomic inequality were still present, in particular for indigenous peoples.<sup>29</sup>
17. Several submissions stressed the significant setbacks and weakening of a number of institutions created by the Peace Agreements, including the Presidential Commission for the

Human Rights Policy (COPREDEH)<sup>30</sup> and the National Programme for Reparations (PNR).<sup>31</sup> The closing of COPREDEH affected the Recommendations Monitoring System (SIMOREG) and prevented civil society from monitoring the implementation of recommendations.<sup>32</sup> ACLBR recommended encouraging access of civil society organizations to SIMOREG.<sup>33</sup> JS6 recommended reviving the spirit of the Peace Agreement and the Agreement on Identity and Indigenous Peoples in particular.<sup>34</sup> JS6 recommended to correctly implement the PNR and provide access to justice and reparations to the victims.<sup>35</sup>

18. AI and JS20 highlighted the multiple criminal proceedings and requested for destitution against the PDH and the insufficient resources assigned or delays in the transfer of funds by the executive as a reprisal for its work.<sup>36</sup> The Inter-American Commission on Human Rights (IACHR) expressed a similar concern.<sup>37</sup>

19. JS14 denounced the precarious situation of the mechanisms established for the advancement of women and recommended transforming the Presidential Secretariat for Women (SEPREM) into a Ministry for Women, strengthen the National Coordination body for the Prevention of Domestic Violence and Violence against Women (CONAPREVI) and assign resources to the national plan for prevention and eradication of violence against women (PLANNOVI).<sup>38</sup> IHRC-OU made a similar recommendation.<sup>39</sup>

## C. Promotion and protection of human rights

### 1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

#### *Equality and non-discrimination*

20. JS6 recommended the Congress to consider all practice of racism and incitation to racial discrimination a punishable act.<sup>40</sup>

21. JS27 acknowledged the approval of the Public Policy for the Cohabiting and the Elimination of Racism and Racial Discrimination. It recommended revising the current legislation and propose a norm on racial discrimination that dignified indigenous women.<sup>41</sup>

#### *Right to life, liberty and security of person, and freedom from torture*

22. Several submissions reported that security forces disrupted protests with excessive use of force.<sup>42</sup> AI recommended to impartially investigate all events of excessive use of force.<sup>43</sup> JS7 recommended to investigate immediately and impartially all extrajudicial killing and excessive force committed by security forces in the context of the protests.<sup>44</sup> UDEFEGUA recommended to strengthen the capacity of security forces to respect the law in cases of large concentrations of persons.<sup>45</sup>

#### *Administration of justice, including impunity, and the rule of law*

23. JS6 underlined that “states of exception” were declared as a means of repression to resolve conflicts, silence the population and jeopardize the right to differ or to avoid complying with the right to consultation.<sup>46</sup>

24. Several submissions indicated that the autonomy and independence of the judiciary had been jeopardized by the selection, appointment and promotion processes of justice operators, as well as by disciplinary processes, arbitrary transfers, and penal persecution to criminalize justice operators and HRD. They also underlined obstructions in investigations to favour impunity in cases of corruption.<sup>47</sup> AI expressed concern regarding the increase in the attacks against the independence of judges and prosecutors in charge of key files<sup>48</sup>, and JS11 and UDEFEGUA expressed similar concerns regarding the dismantling of the Special Prosecutor Office against Impunity (FECI).<sup>49</sup> JS11 recommended to ensure that justice operators could perform their duties independently and had stability in their jobs. It also recommended investigating and prosecuting all attacks and threats against justice operators and HRD, and ensuring a promotion, appointment, transfer and removal system in accordance with international standards.<sup>50</sup>

25. JS6 recommended to guarantee the autonomy of the Attorney against Corruption and reinstate the Attorney for Human Rights.<sup>51</sup>

26. AI pointed at the Public Ministry and the judicial system as accomplices for the incorrect use of the penal code to harass and punish HRD and justice operators.<sup>52</sup> AI recommended ensuring that justice operators can continue to operate without undue internal or external pressure and to stop the harassment and incorrect use of the penal code against them.<sup>53</sup> IACHR urged to cease the threats to the independence of the judges of the Constitutional Court<sup>54</sup> and to ensure a transparent selection process for the appointment of members of the Constitutional Court, in accordance with international standards.<sup>55</sup> JS25 recommended a constitutional and legal reform to change the election system to the high courts to strengthen the independence of the judiciary.<sup>56</sup> JS19 recommended the dismissal of groundless denounces against justice operators which are victims of criminalization, and to establish, under the UN framework, a body that registers attacks against judicial autonomy and cases of criminalization of justice operators.<sup>57</sup>

27. AHR highlighted the continuous widespread and systemic violence, threats and extortion carried out by criminal gangs acting with impunity. Police and other State actors failed to investigate and prosecute criminals and were often complicit in the violence.<sup>58</sup> AHR recommended adopting reforms to ensure the independence of the police from organized crime and to end deep-rooted associations between gangs and the police.<sup>59</sup>

28. AI noted that most of the cases of human rights violations committed during the internal armed conflict remained unpunished.<sup>60</sup> JS11 indicated that the Public Ministry and the Attorney General had prevented advances on cases of human rights violations committed during the internal conflict.<sup>61</sup> AI expressed concern about the frequent acts of intimidation, stalking and attacks against victims' families, activists and justice operators working on these cases.<sup>62</sup> AI recommended to promptly conduct independent, impartial and effective investigations of all denounces related to human rights violations which were committed during the internal armed conflict.<sup>63</sup>

*Fundamental freedoms and the right to participate in public and political life*

29. Several submissions denounced the significant increase in attacks and criminalization practices against HRDs and journalists.<sup>64</sup> JS7 was deeply concerned by extreme violence against HRDs and journalists, aggravated by the continued criminalization they faced from authorities and non-state actors.<sup>65</sup> JS20 and JS21 addressed in particular the situation of women journalists.<sup>66</sup> JS7 stated that the government persistently failed to address restrictions on civic space and referred to the acute implementation gaps of UPR recommendations regarding the freedom of association and the protection of HRD and journalists.<sup>67</sup>

30. AI and JS7 highlighted the frequent criminalization of HRDs and the defamation and stigmatization to discredit them and their work.<sup>68</sup> JS6 denounced the bad faith of criminal prosecutions filed against leaders, authorities and HRDs from indigenous peoples as a strategy to intimidate those opposed to extracting industries.<sup>69</sup> JS7 recommended to reform the defamation legislation to harmonize it with article 19 of ICCPR.<sup>70</sup>

31. JS20 and JS27 recommended to publicly recognize the work achieved by HRDs.<sup>71</sup> JS7 recommended to provide civil society members, HRDs and journalists with a safe environment to carry out their work, conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against them, and bring perpetrators to justice.<sup>72</sup> JS7 also recommended to release all HRDs, journalists and bloggers detained for exercising their rights to freedom of association, peaceful assembly and expression.<sup>73</sup> JS15 recommended to provide the necessary resources to the Specialized Unit of the Ministry of Interior to swiftly respond to and investigate the attacks against HRDs and to strengthen the Specialized Unit for HRDs and Journalists in the PDH.<sup>74</sup> Several submissions underlined the need to adopt a public policy for the protection of HRDs.<sup>75</sup> ADF recommended to ensure the full respect for the right to freedom of expression in accordance with relevant international human rights obligations.<sup>76</sup>

32. JS21 and JS22 recommended to implement the law on access to public information.<sup>77</sup>

33. JS12 and JS27 recommended to reform the Law on Elections and Political Parties to ensure parity, alternation and regulate the presence of women and indigenous peoples.<sup>78</sup> IHRC-OU made a similar recommendation.<sup>79</sup>

*Right to marriage and family life*

34. AI indicated that civil unions and marriages of persons of the same gender were not recognized in Guatemala.<sup>80</sup> AI recommended to ensure the right to equality and non-discrimination for all persons.<sup>81</sup>

35. JS9 underlined a draft legal initiative to prevent the provision of a comprehensive sexual education and on gender identity in schools and prohibiting marriage between same-sex persons.<sup>82</sup> JS10 pointed at several similar legal initiatives.<sup>83</sup>

*Right to work and to just and favourable conditions of work*

36. ATRAHDOM stressed that wages were precarious and the current minimum wage was not sustainable to enjoy access to food security, health, housing, services, education and transportation. In addition, the employer sector continued to have privileges in exempting the payment of taxes in the industry, export and textile maquila.<sup>84</sup>

37. ITUC recommended to eliminate legislative obstacles to the free establishment of trade unions, and to ensure that judicial decisions of reinstatement in employment following anti-union dismissals were enforced without delay.<sup>85</sup> Finally, it recommended to harmonize national legislation with international labor standards, including ILO Conventions 87 and 98.<sup>86</sup>

38. JS7 highlighted that labor legislation in the country inhibited worker's rights to join and form trade unions.<sup>87</sup> It recommended to guarantee the effective and independent functioning of autonomous trade unions.<sup>88</sup>

39. ITUC reported that Guatemala remained one of the most dangerous countries in the world for trade unionists with an ongoing pattern of violence against members and leaders of trade union movements, combined with persistent impunity of perpetrators. The lack of effective investigations, prosecution and punishment of anti-union violence was accompanied by the lack of sufficient protection measures.<sup>89</sup> The situation of anti-union discrimination is particularly grave in the maquila (export) sector.<sup>90</sup> ITUC recommended to investigate without delay all acts and threats of violence against trade union leaders, and to provide rapid and effective protection to all trade union leaders and members under threats.<sup>91</sup>

40. JS16 stressed the lack of recognition of sexual work as work and the lack of regulation of its working conditions.<sup>92</sup> Sex workers were systematically victims of harassment, arbitrary detentions, abuses, police brutality and excessive use of force by the National Civil Police.<sup>93</sup> JS16 reported the obstacles sex workers had to access justice and the fear of reprisals.<sup>94</sup> JS16 recommended to undertake legal proceedings to regulate sexual work; train the National Civil Police on the rights of sexual workers; supervise the treatment they receive in police stations; design and implement a system to file complaints for aggressions and abuses that guaranteed the protection of the victim; and ensure that an independent body investigate the complaints of excessive use of force.<sup>95</sup>

*Right to social security*

41. ATRAHDOM highlighted the lack of social security coverage for the elderly and persons with disabilities. It recommended to invest in social security for health care, employment and support for vulnerable sectors.<sup>96</sup>

42. JS23 recommended to extend the social security coverage to LGBTIQ+ families and couples.<sup>97</sup>

*Right to an adequate standard of living*

43. IACHR and its Special Rapporteur on the right to housing expressed concern about forced evictions and the resulting internal displacement, and urged Guatemala to comply with the international norms and standards on evictions.<sup>98</sup>

44. ACLBR reported that the COVID-19 pandemic exacerbated vulnerabilities that directly affected the economic and social development of children, women and the elderly.<sup>99</sup> The programmes implemented by the State to support families and small companies to cope with the pandemic resulted in traces of corruption and did not reach the vulnerable parts of the population.<sup>100</sup> JS5 reported that the national food system entered into a crisis in the second month after the Government declared the “state of calamity” due to the COVID-19 pandemic.<sup>101</sup> It underlined the corruption in the School Food Programme<sup>102</sup> and recommended the creation by the Ministry of Education of control mechanisms to avoid corruption in its implementation.<sup>103</sup>

45. JS15 highlighted the economic disparities that aggravated food insecurity, in particular in rural families. It recommended to swiftly implement the Agreement on Socioeconomic Aspects and Agrarian Situation (ASESA) included in the Peace Agreement.<sup>104</sup> JS5 recommended the approval of the Integral Rural Development Law and the allocation of budget for the implementation of the Rural Development Policy and Access to Land Programme of the Land Fund (FONTIERRAS).<sup>105</sup>

46. JS18 indicated that the Congress had not adopted a specific law to regulate access to water despite the ruling of the Constitutional Court that recalled the views of the United Nations and the Inter-American Court for Human Rights.<sup>106</sup> JS18 recommended to recognize the right to water in the Constitution, adopt a Law on Water comprehensively consulted and establish public policies on access to water with a human rights-based approach.<sup>107</sup>

#### *Right to health*

47. JS2 stated that Guatemala did not have medium and long-term plans, policies and vision on health issues compounded by the COVID-19 pandemic, in particular in indigenous and rural areas. It also lacked investments.<sup>108</sup> AI recommended to gradually increase public spending on health to reach the 6% minimum of the GDP suggested by WHO.<sup>109</sup>

48. C-Fam reported that maternal mortality rates in Guatemala remained among the highest in the region, mainly among women living in rural areas.<sup>110</sup> ADF reported that the high number of maternal deaths in Guatemala must be addressed as an urgent priority and therefore resources must be directed to improve the conditions for women who were pregnant, undergoing childbirth and after delivery.<sup>111</sup> ADF recommended to improve access to quality maternal care for poor, rural or indigenous women.<sup>112</sup>

49. JS10, JS24 and JS26 highlighted the different legislative measures introduced to limit sexual and reproductive rights, against abortion and diversity, and in favor of family.<sup>113</sup> JS2 stressed the importance of increasing the efforts to address sexual and reproductive health, in particular for indigenous women.<sup>114</sup> JS10 recommended to place sexual and reproductive rights as a priority in the national agenda,<sup>115</sup> and to design and implement plans, programmes and protocols on sexual and reproductive rights for indigenous women, women with disabilities and women from sexual identities.<sup>116</sup> JS10 recommended to adopt measures, informative campaigns, and clinics to address sexual violence, non-desired pregnancies and motherhood of girls, adolescents, young women and women.<sup>117</sup>

50. JS27 reported that indigenous women continued to face a discriminatory treatment at hospital facilities. It recommended to broaden the coverage and the access to health services in all the territory, allocate specific resources, and develop campaigns and training programmes for health services providers.<sup>118</sup>

51. JS10 stressed that abortion continued to be a public health problem in Guatemala and highlighted the link between early pregnancies and abortion.<sup>119</sup> Several submissions recommended to decriminalize abortion in all circumstances and to guarantee access to abortion in law and practice for all pregnant persons.<sup>120</sup> ADF, C-Fam and ECJL also addressed the issue of abortion.<sup>121</sup>

52. JS10 reported that the pandemic reduced the availability of contraceptive methods and treatments for people living with HIV/AIDS.<sup>122</sup> JS23 recommended the implementation of a national plan to holistically assist people living with HIV<sup>123</sup> and JS24 added that it was culturally competent.<sup>124</sup>

*Right to education*

53. JS4 stated that the public expenditure in education in Guatemala was one of the lowest in Central America.<sup>125</sup>

54. JS17 stressed that the COVID-19 pandemic particularly affected the right to education of children, as well as their right to food, health and water.<sup>126</sup> JS17 and JS21 recommended that the Ministry of Education define strategies to address the educational lagging resulting from the COVID-19.<sup>127</sup>

55. JS4 reported that, based on official data, the education system excluded girls, adolescent women, and the indigenous population.<sup>128</sup> JS4 stated that, among the different reasons that limited the enjoyment of the right to education of children and adolescents, was discrimination, violence, racism, and abuses.<sup>129</sup> JS4 recommended to identify barriers, limitations and problems faced by women and girls to access education,<sup>130</sup> and to create policies and programmes to eradicate violence, sexual harassment and rape against girls and adolescents.<sup>131</sup>

56. JS4 and JS27 reported that accessing the right to education during the COVID-19 was particularly difficult due to the lack of electronic means, electricity or access to the internet, in particular in rural areas.<sup>132</sup>

*Cultural rights*

57. IHRC-OU highlighted that Guatemala had failed to protect the intellectual property of indigenous textiles and clothes.<sup>133</sup> It recommended a legal reform to establish the necessary protections of collective intellectual property rights for indigenous textiles and clothing.<sup>134</sup>

*Development, the environment, and business and human rights*

58. JAI noted that Guatemala was particularly impacted by climate change and natural disaster were likely to cause major damage, The support from government to help with the consequences had been scarce,<sup>135</sup> In addition, Guatemala's economy was very dependent on agriculture which was also the leading cause of deforestation, and the detrimental impact of climate change may resulted in major migration crisis.<sup>136</sup> JAI recommended to support adaptive measures in agriculture and seek to diversify the country's economy.<sup>137</sup>

59. JS15 recommended to adopt the Guiding Principles of Business and Human Rights by companies operating in Guatemala.<sup>138</sup>

**2. Rights of specific persons or groups***Women*

60. Despite some advances,<sup>139</sup> AI reported that Guatemala had not adopted enough measures to guarantee women and girls' right to a life free of violence.<sup>140</sup> Several contributions mentioned that violence against women remained widespread and persistent in Guatemala, the police failed to consistently investigate reports of domestic violence, and offenders often acted with impunity.<sup>141</sup> AHR also highlighted the lack of official information on the implementation of several policies to curb violence against women.<sup>142</sup>

61. AI, AHR and IHRC-OU recommended to implement previous recommendations to promptly, impartially and effectively investigate all kind of violence against women, to hold perpetrators accountable, and to apply effective and coordinated measures with sufficient resources to prevent violence.<sup>143</sup> AHR recommended to ensure gender equitable representation in the police forces and other elements of the justice system.<sup>144</sup>

62. OCACGT addressed the issue of sexual harassment of women on the streets as a form of sexual violence against women, and recommended to adopt a specialized law and other measures to prevent, punish and eradicate such practice.<sup>145</sup>

63. JS14 addressed the situation of migrant women and girls victims of sexual and economic violence without adequate response from authorities.<sup>146</sup> It recommended to ensure that the migration policy included the specific necessities of women.<sup>147</sup>

64. JS27 highlighted the discrimination and racism suffered by indigenous women in social, political and private contexts, jeopardizing their right to a life free of violence, to health, education and land.<sup>148</sup>

#### *Children*

65. JS21 referred to progress made with regards to combating violence against children, including on sexual aggressions and crimes, trafficking of children, migrant children and child labor exploitation.<sup>149</sup> JS10 reported that the justice response to violence against children was slow and with impunity.<sup>150</sup>

66. AHR reported that gangs regularly attempted to recruit children through physical violence and death threats.<sup>151</sup> AHR recommended to reduce the influence of gang and gun violence.<sup>152</sup>

67. AI recommended to adopt urgent measures to address the high levels of pregnancies of girls and adolescents and to guarantee effective access to educational programmes and services on sexual and reproductive health.<sup>153</sup>

#### *Persons with disabilities*

68. BCPCSG reported that, despite the ratification of CRPD and the Marrakech Treaty, national legislation still limited the rights of persons with disabilities due to a medical-rehabilitator approach to disabilities, and the absence of consultation with persons with disabilities.<sup>154</sup> BCPCSG recommended the harmonization of the national legal system with CRPD.<sup>155</sup>

69. According to BCPCSG, people with disabilities were a very marginalized segment not included in governmental policies and programmes, despite having a National Policy on Disabilities.<sup>156</sup> Women, children and indigenous peoples with disabilities are the most excluded and discriminated.<sup>157</sup> Several legal initiatives in favor of persons with disabilities are stuck in Congress.<sup>158</sup> JS26 recommended to urgently adopt a law for persons with disabilities that contained articles to prevent sexual violence and ensured access to health and sexual and reproductive rights.<sup>159</sup> BCPCSG recommended to promote and facilitate the access to justice of persons with disabilities.<sup>160</sup>

#### *Indigenous peoples and minorities*

70. JS6, JS2 and JS15 denounced a stagnation and even setback in the advancement of indigenous peoples' rights.<sup>161</sup> JS15 underlined the persistence of racism and gender discrimination against indigenous peoples and indigenous women in particular.<sup>162</sup> JAI reported that indigenous peoples were disproportionately poor and were more likely to suffer from extreme weather events.<sup>163</sup>

71. Several contributions denounced the aggression and criminalization of indigenous peoples and indigenous HRD in particular.<sup>164</sup> AHR reported the systemic failures to protect the individual and collective rights of indigenous peoples and their increased vulnerability to violence.<sup>165</sup> AHR reported the widespread failure of police to investigate crimes involving anti-indigenous discrimination.<sup>166</sup>

72. JS15 highlighted the chronic problems related to governance and the use of natural resources on indigenous lands and territories.<sup>167</sup> JS15 underlined the challenge for Guatemala to fulfil its international obligation to adequately consult indigenous peoples to obtain prior, free and informed consent on any legislative and administrative measure that directly affected them.<sup>168</sup> JS1 reported that all licences given to extractive industries and hydroelectric projects on indigenous peoples territories were granted in violation of the right of indigenous peoples to be consulted.<sup>169</sup> JS15 recommended to promptly, firmly and indefinitely cancel all mining, hydroelectric and forest exploiting licenses granted to individuals and companies without following the legal procedure of land acquisition, including through free, prior and informed consent of indigenous peoples.<sup>170</sup> Several submissions recommended to guarantee the right to free, prior and informed consent for indigenous peoples in relation to policies, projects and laws that might affect them.<sup>171</sup> JS1 and JS6 urged to legally recognize the historical collective property titles, territories and natural resources.<sup>172</sup>



73. JS1 underlined the accusations of usurpation against indigenous peoples trying to recover their lands that were followed by evictions and demonstrations of force by the State. These resulted in the declaration of States of Exception followed by internal displacement of indigenous peoples.<sup>173</sup> AHR recommended to reduce economic instability for indigenous peoples, by improving the legal framework for the recognition of indigenous land rights.<sup>174</sup>

74. JS8 reported about the importance of community radios and expressed concern about the physical and legal attacks against them.<sup>175</sup> JS1 reported on the attacks against the community radios through the criminalization and criminal prosecution of its operators and the confiscation of their equipment.<sup>176</sup> JS8 recommended Guatemala to comply with the sentence of the Inter-American Court for Human Rights to harmonize the national legislation, in consultation with indigenous peoples, to recognize the functioning of community radios, keep parts of the radio electric spectrum, and establish a simple and free-of-charge process to obtain licences to use that spectrum.<sup>177</sup> JS8 recommended to stop the criminalization of community radios and eliminate the sentences against their communicators.<sup>178</sup>

75. JS1 highlighted the difficulties for indigenous peoples to access justice due to the low number of interpreters and prosecutors with knowledge of indigenous languages.<sup>179</sup> JS1 stressed that the official justice system operators did not recognize indigenous peoples' justice system and ignored the urgent need to coordinate with indigenous authorities.<sup>180</sup> JS1 recommended to recognize, respect and promote the Ancestral Legal System.<sup>181</sup>

76. JS6 and JS10 highlighted the role of indigenous midwives.<sup>182</sup> JS2 indicated that the National Policy on Midwives was not implemented.<sup>183</sup> IHRC-OU recommended to guarantee the necessary resources for the full implementation of that policy and to facilitate the integration of midwives into health service staff.<sup>184</sup> JS10 recommended to strengthen the capacities of midwives as indigenous leaders in the health provision system.<sup>185</sup>

77. JS8 recommended to create a national action plan for the implementation and protection of the rights of indigenous peoples based on the United Nations "A Call to Action: Building an Inclusive, Sustainable and Resilient Future with Indigenous Peoples."<sup>186</sup>

78. IHRC-OU recommended to establish a mechanism of good faith for the implementation of the ILO Convention 169 and to ensure the enactment and full effect of the legal framework concerning indigenous people's land rights and dispute resolutions. It also recommended to improve and strengthen the Land Registry Act, and to consolidate the Land Fund and Secretariat of Agrarian Affairs with the Land Registry Act.<sup>187</sup>

#### *Lesbian, gay, bisexual, transgender and intersex persons*

79. JS9 reported about the lack of progress in the LGBT political and legislative agenda.<sup>188</sup> AHR stressed the regression in the protection of LGBTI persons.<sup>189</sup> JS9 denounced the lack of official data on LGBT persons despite requests from PDH and civil society organizations.<sup>190</sup> JS23 highlighted the difficulties for LGBTIQ+ persons to access the labor market.<sup>191</sup>

80. JS23, AI and JS9 denounced the increase in violence against LGBTIQ+ persons.<sup>192</sup> AI recommended to investigate all crimes against LGBTI persons.<sup>193</sup> AHR reported that domestic violence acutely affected LGBTI persons.<sup>194</sup> According to JS9, the generalized environment of discrimination against LGBT persons, violence and few opportunities, lead to forced displacement and migration of this population.<sup>195</sup>

81. AHR noted that police failed to investigate human rights violations against LGBTI persons and the lack of access to justice in cases of sexual abuse due to the victims' sexual orientation.<sup>196</sup> JS23 recommended to resume the adoption of the Protocol to investigate crimes against LGBTIQ+ persons.<sup>197</sup> JS9 recommended the Congress to develop a legal framework that sanctioned crimes motivated by sexual orientation and gender identity.<sup>198</sup> AHR and JS23 recommended to strengthen legislation to ban discrimination based on sexual orientation or gender identity.<sup>199</sup> AHR recommended to combat impunity, by ensuring that law enforcement conducted a thorough investigation of every allegation of violence or discrimination based on sexual orientation or gender identity.<sup>200</sup>

82. OTRANS-RN was alarmed by the increase in the number of aggressions and killings of trans women in recent years due to the lack of legislation and other inclusive policies on

gender identity.<sup>201</sup> This forced trans persons to migrate away from the northern triangle.<sup>202</sup> OTRANS-RM also highlighted several legislative initiatives that were regressive towards trans persons.<sup>203</sup> OTRANS-RM recommended to legislate on gender identity, not to allow hate legislation, and implement the Trans Health Strategy, as well as to protect LGBTIQ+ defenders and activists.<sup>204</sup>

#### *Migrants, refugees and asylum-seekers*

83. AI expressed concern about the thousands of Guatemalans running from violence, impunity, poverty and inequality that were returned from other countries.<sup>205</sup> It recommended to apply effective procedures in the consular services and reception centers to identify deported and returned vulnerable people.<sup>206</sup>

84. JS21 recommended that governmental bodies interventions addressing the issue of migrant children were in compliance with the Code for Migration and other legal instruments and that the best interest of the child prevailed.<sup>207</sup> JS23 expressed concern regarding the situation of LGBTIQ+ refugees or asylum seekers.<sup>208</sup> It recommended that the Migration Institute of Guatemala complied with the established timeframe to respond to refugee requests and to establish assistance and integral development programmes for migrants, including LGBTIQ+ persons.<sup>209</sup>

85. FJEDD addressed the issue of enforced disappearance of Guatemalan migrants in third countries<sup>210</sup> and the lack of reliable data on this issue.<sup>211</sup> It indicated the need to strengthen the internal capacity to access to justice and reparation for migrants; and establish regional registration, search, investigation, identification and repatriation mechanisms for Guatemalans disappeared abroad.<sup>212</sup> FJEDD recalled that Guatemala ratified the Inter-American Convention on the Forced Disappearance of Persons and the sentence of the Inter-American Court for Human Rights, and therefore authorities had the obligation to investigate and search of disappeared persons.<sup>213</sup> FJEDD underlined the coordination problems for forensic identification.<sup>214</sup> It recommended to recognize the responsibility of the State in the guarantee of the right to truth and access to justice for victims and their families.<sup>215</sup>

#### *Internally displaced persons*

86. JS3 stated that there was neither an official recognition of internal displacement,<sup>216</sup> nor clear public policies to prevent and address forced displacement due to the lack of visibility of this issue.<sup>217</sup> Some of the forced displacement was due to violence, violence against women, extortion, persecution, food insecurity and killing of leaders, as well as business activities exacerbated by the historical discrimination and marginalization of communities.<sup>218</sup> JS3 also underlined the forced displacements due to natural disasters caused by climate change.<sup>219</sup> JS3 recommended to adopt a complete and human rights based legislation to address internal forced displacement and its structural causes.<sup>220</sup>

## Notes

<sup>1</sup> See A/HRC/37/9, A/HRC/37/9/Add. 1 and A/HRC/37/2.

<sup>2</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org) (one asterisk denotes a national human rights institution with A status).

*Individual submissions:*

ACLBR	Asociación Colibri. Guatemala (Guatemala).
ADF	ADF International. Geneva (Switzerland).
AHR	The Advocates for Human Rights. Minneapolis (United States of America).
AI	Amnesty International. London (United Kingdom).
ATRAHDOM	Asociación de Trabajadoras del Hogar, a Domicilio y de Maquila. Ciudad de Guatemala (Guatemala)
BCPCSG	Benemérito Comité Pro Ciegos y Sordos de Guatemala. Guatemala (Guatemala).
C-FAM	The Center for Family and Human Rights. New York (United States of America)
ECLJ	European Centre for Law and Justice. Strasbourg (France).
FJEDD	Fundación para la Justicia. Mexico City (Mexico).
IHRC-OU	International Human Rights Clinic of the Oklahoma University. Norman (United States of America).
ITUC	International Trade Union Confederation. Brussels (Belgium).
JAI	Just Atonement Inc. New York (United States of America)
MUNISOL	Municipalidad Indígena Sololá. Guatemala (Guatemala)
OCACGT	Observatorio Contra el Acoso Callejero Guatemala. Guatemala (Guatemala).
OTRANS-RN	Organización Trans Reinas de la Noche. Guatemala (Guatemala).
UDEFEGUA	Unidad de Protección a Defensoras y Defensores de Derechos Humanos de Guatemala. Guatemala (Guatemala).

*Joint submissions:*

JS1	<b>Joint Submission 1 submitted by:</b> Alcaldía Indígena de Olitenpeque; Alcaldía Indígena San Marcos la Laguna; Alcaldía San Juan Arqueta, Sololá; Autoridad Ancestral de Quetzaltenango; Alcaldía Indígena y Ancestrales, Comunidad Pilar 2, San Juan Sacatepéquez; Alcaldía Indígena San José Poaquil; Autoridad Indígena Maya Q'eqchi de Cahabón, Alta Verapaz; Alianza de Autoridades Ancestrales Ajpop Tinamit, Oxlajuj Imox, Sololá, Guatemala B'oq'ol Q'esal Tenam; Consejo Maya Mam Te Txe Chman; Colectivo de Organizaciones Mayas de Guatemala – COMON MAYAB'; Consejo Maya K'iche de Quezaltenango; Consejo de Autoridades Ancestrales Indígena Maya Ch'orti; Gobierno Ancestral Plurinacional Akateko, Chuj, Q'anjob'al, Huehuetenango, Guatemala; Parlamento del Puelbo Xinka de Guatemala; Yakokle Popol Maya Kaqchikel, Consejo Restauradora, Alcaldía Indígena Tecpán, Guatemala. Huehuetenango (Guatemala).
JS2	<b>Joint Submission 2 submitted by:</b> Asociación Coordinación de ONG y Cooperativas – CONGCOOP; Centro de Estudios para la Equidad y la Gobernanza de los Sistemas de Salud – CEGSS. Guatemala (Guatemala).
JS3	<b>Joint Submission 3 submitted by:</b> Centro por la Justicia y el Derecho Internacional – CEJIL; Programa ACTuando Juntas Jotay Guatemala; Mesa Nacional para las Migraciones en Guatemala – MENAMIG; Equipo de Estudios Comunitarios y Acción Psicosocial – ECAP; Cristosal Guatemala; American Friends Service Committee; Instituto de Investigaciones Socio Humanistas de la Vicerrectoría de Investigación y Proyección de la Universidad Rafael Landívar. San José (Costa Rica).
JS4	<b>Joint Submission 4 submitted by:</b> Asociación de Mujeres Semillas para el Futuro – ASOMUSEF; Asociación Centro

- de Investigación y Educación Populat – CIEP; Asociación Coordinadora Nacional de Pobladores y Áreas Marginales de Guatemala – CONAPAMG; Asociación de Maestros de Educación Rural – AMERG; Comisión Permanente de Reforma Educativa – CNPRE; Asociación Consejo Nacional Indígena Campesino y Popular – CNAICP; Asociación de Mujeres Inter Cultural – ADMI; Asociación Consejo del Pueblo XINKA de Guatemala – COPXIG; Asociación de Mujeres Unidas contra la Violencia – AMUCV; Red Mujeres Positivas en Acción – REDMPA; Asociación Junajpu e Ixbalamke. Guatemala (Guatemala).
- JS5 **Joint Submission 5 submitted by:** Colectivo Social por el Derecho a la alimentación – CSDA; Campaña Guatemala sin Hambre – CGSH; Colectivo de Estudios Rurales – IXIM; Fundación Tierra Nuestra – FTN; Fundación Guillermo Toriello – FGT; Pastoral de la Tierra de la Diócesis de San Marcos (ptSM); Red por la defensa de la Soberanía Alimentaria de Guatemala – REDSAG; Red niña niño. Guatemala (Guatemala).
- JS6 **Joint Submission 6 submitted by:** Consejo Internacional de Tratados Indios – CITI; Coordinadora Nacional de Viudas de Guatemala – CONAVIGUA; Conferencia Oxlajuj Ajpop. Ciudad de Guatemala (Guatemala).
- JS7 **Joint Submission 7 submitted by:** World Alliance for Citizen Participation – CIVICUS; Acción Ciudadana; Latin American and Caribbean Network for Democracy – RedLad. Johannesburg (South Africa).
- JS8 **Joint Submission 8 submitted by:** Cultural Survival; Asociación Sobrevivencia Cultural. Cambridge (United States of America).
- JS9 **Joint Submission 9 submitted by:** Colectivo de hombres trans – Trans-formación; Red de Colectivos Americanos de Hombres Trans+; Visibles ONG. Ciudad de Guatemala (Guatemala).
- JS10 **Joint Submission 10 submitted by:** Plataforma Tejedoras de Güipil; Asociación Las Crisálidas; Red Nacional de Mujeres con Discapacidades y Aliadas; Asociación de Mariposas; ASociación Incidejove; Asociación de Mujeres Ixqik; Asociación Vidas Paralelas; Grupo Multidisciplinario por la defensa de los derechos sexuales y reproductivos; Asociación de Mujeres Tejedoras AMUTED; Instancia por la salud y el desarrollo de las Mujeres – ISDM; Movimiento Nacional de Comadronas Nim Alxik; Observatorio de Salud Reproductiva en Guatemala – OSAR; Red Nacional de Mujeres Indígenas por la Salud Integral – REDNAMI; Red de Mujeres de Petén; Asociación Generando Equidad Liderazgo y Oportunidades – ASOGEN; Alianza Estratégica de Mujeres CEDAW en Guatemala; Asociación de Mujeres Empleadas y Desempleadas Unidas contra la Violencia – AMUCV; Grupo Guatemalteco de Mujeres – GGM. Guatemala (Guatemala).
- JS11 **Joint Submission 11 submitted by:** Due Process of Law Foundation – DPLF; American Jewish World Service; Centro por la Justicia y el Derecho Internacional – CEJIL; Cyrus R. Vance Center for International Justice; Fundación para la Justicia y el Estado Democrático de Derecho – FJEDD; Guatemala Human Rights Commission – GHR; Impunity Watch; Latin American Working Group Education Fund – LAWGEF; Oficina de Washington para América Latina – WOLA; Plataforma Internacional Contra la Impunidad – PICI; Protection International Mesoamerica; Robert F-Kennedy Human Rights – RFKHR. Washington DC (United States of America).

- JS12 **Joint Submission 12 submitted by:** Asociación Colectivo Poder y Desarrollo – CPDL; Asociación de Mujeres Luqueñas para el Desarrollo Integral – AMLUDI; Asociación Movimiento por la Paz, el Desarme y la Libertad – MPDL; Asociación de Desarrollo de la Mujer K’ak’a Na’op – ADEMKAN; Asociación Política de Mujeres Mayas – MOLOJ; Representación de organizaciones de mujeres ante el CODEDE. Sololá (Guatemala).
- JS13 **Joint Submission 13 submitted by:** Fundación Guillermo Toriello – FGT; Bufete para Pueblos Indígenas. Guatemala (Guatemala).
- JS14 **Joint Submission 14 submitted by:** Grupo Guatemalteco de Mujeres – GGM, Comité de Latinomaérica y el Caribe para la Defensa de los Derechos de la Mujer – CLADEM Guatemala; Alianza Política Sector de Mujeres – APSM; Red de la No Violencia contra las Mujeres – REDNOVI. Guatemala (Guatemala).
- JS15 **Joint Submission 15 submitted by:** The Lutheran World Federation – LWF; Evangelical Lutheran Church of Guatemala – ILUGUA. Geneva (Switzerland).
- JS16 **Joint Submission 16 submitted by:** Organización Mujeres en Superación – OMES; la Red Latinoamericana y del Caribe de Trabajadoras Sexuales; Iniciativa por los Derechos Sexuales (SRI). Guatemala (Guatemala).
- JS17 **Joint Submission 17 submitted by:** Asociación COINCIDIR; Asociación Nacional contra el Maltrato Infantil – CONACMI; Programa de Atención, Movilización e Incidencia por la Niñez y Adolescencia – PAMI. Guatemala (Guatemala).
- JS18 **Joint Submission 18 submitted by:** Pastoral de la Tierra de la Diócesis de San Marcos – PTSM; Fundación Tierra Nuestra – FUNDATIERRA; Servicios Jurídicos y Sociales – SERJUS; Plataforma Internacional Contra la Impunidad – PICI. San Marcos (Guatemala).
- JS19 **Joint Submission 19 submitted by:** Protection International Mesoamérica; Centro por la Justicia y el Derecho Internacional – CEJIL; Cyrus R. Vance Center for International Justice; Fundación para el Debido Proceso – DPLF; Guatemala Human Rights Commission; Impunity Watch; Latin America Working Group Education Fund; Oficina de Washington para América Latina – WOLA; Plataforma Internacional Contra la Impunidad – PICI; Programa ACTuando Juntas Jotay; Robert F. Kennedy Human Rights – RFKHR. Guatemala (Guatemala).
- JS20 **Joint Submission 20, submitted by:** Red de la No Violencia contra las Mujeres – REDNOVI; Asociación Nuevos Horizontes – ANH; Asociación Generando Liderazgo, Equidad y Oportunidades – ASOGEN; Asociación de Mujeres en Solidaridad – AMESM Asociación de Mujeres Empleadas y Desempleadas Unidas contra la Violencia – AMUCV; Comadronas Tradicionales de Guatemala; Consejo de Mujeres Cristanas – CMC; Grupo Guatemalteco de Mujeres – GGM; Mujeres por la Justicia, Educación y el Reconocimiento – MUJER; Red Guatemalteca Mujeres Positivas en Acción – RedMPA. Guatemala (Guatemala).
- JS21 **Joint Submission 21 submitted by:** Red Niño Niña; Asociación Aldeas infantiles de Guatemala – AISOS; Asociación Centro Ecueménico de Integración Pastoral – CEIPA; Asociación la Alianza – ALA; Asociación Paz Joven Guatemala – PAZ JOVEN; Asociación Estudios y Proyectos de Esfuerzo Popular – EPRODEP; Asociación K’amalbé; Asociación Levantemos Guatemala; Asociación de Generación a Generación Guatemala;

Asociación Educando Guatemala; Asociación Escuela de Padres Aprender para Crecer – ACRECER; Asociación Ixoqib´ Miriam; Asociación de Familias por la Diversidad de Guatemala; Asociación para el Desarrollo Integral Multidisciplinario – APPEDIBIMI; Asociación Solidaridad para la Educación y la Cultura – ASOL; Asociación Donamor ; Asociación comunitaria para la Integración y el Desarrollo de la Familia – ACEDIF; Asociación Las Crisálidas; Coordinadora Institucional de Promoción por los Derechos de la Niñez – CIPRODENI; Centro Cultural DiverArte Guatemala – DIVERARTE; Fundación – EDUCO; Fundación Esperanza de los Niños – CHILDHOPE; Fundación Esfuerzo y Prosperidad – FUNDAESPRO; Fundación Marista – FUNDAMAR; Fundación Street Kid Direct – SKD; Fundación Guatemalteca para Niños con Sordoceguera Alex – FUNDAL; Instituto de Cooperación Social – ICOS; Instituto de Protección Social – IPS; Movimiento ATD Cuarto Mundo; Movimiento de Educación Popular Integral y Promoción Social “Fe y alegría”; Mujeres Iniciando en las Américas; Oficina de Derechos Humanos del Arzobispado de Guatemala; La Niñez es Primero; Proyecto de Desarrollo Santiago; Programa de Atención, Movilización e Incidencia por la Niñez y Adolescencia; Programa Educativo del Niño, Niña y Adolescente Trabajador; Red de Jóvenes para la Incidencia Política; Plan International Guatemala; Save the Children; World Vision Guatemala; ChildFund Guatemala. Guatemala (Guatemala).

- JS22 **Joint Submission 22 submitted by:** Red Rompe el Miedo Guatemala – RRGGM; Article 19-México; Protection International; Asociación Artículo 35; Sobrevivencia Cultural; La Federación de Escuelas Radiofónicas – FGER; Centro Civitas. Guatemala (Guatemala).
- JS23 **Joint Submission 23 submitted by:** Asociación LAMBDA; Akahatá A.C.; Synergia – Initiatives for Human Rights; Sexual Rights Initiative – SRI; Red Sin violencia LGBTI. Buenos Aires (Argentina).
- JS24 **Joint Submission 24 submitted by:** Red juvenil de Asociación de Mujeres Gente Nueva – REDJUAMUGEN; the PACT; Sexual Rights Initiative. Ottawa (Canada).
- JS25 **Joint Submission 25 submitted by:** Cyrus R. Vance Center for International Justice; American Jewish World Service; Centro por la Justicia y el Derecho Internacional – CEJIL; Guatemala Human Rights Commission/USA; Impunity Watch; Latin America Working Group Education Fund; Oficina de Washington para América Latina – WOLA; Protection International Mesoamerica; Fundación para el Debido Proceso – DPLF; Plataforma Internacional Contra la impunidad – PICI; Programa ACTuando Juntas Jotay, y Robert F. Kennedy Human Rights – RFKHR. New York (United States of America).
- JS26 **Joint Submission 26 submitted by:** Comunidad de Acción del Programa We Lead/Nosotras Lideramos Guatemala. Guatemala (Guatemala).
- JS27 **Joint Submission 27 submitted by:** Movimiento de Mujeres Indígenas T´zununija, compuesto por mujeres Xincas, Mayas y Garifunas. Guatemala, (Guatemala).

*National human rights institution:*

PDH Procuraduría de Derechos Humanos de Guatemala.

*Regional intergovernmental organization(s):*

IACHR Inter-American Commission for Human Rights

<sup>3</sup> PDH p. 4.

<sup>4</sup> PDH, p. 4. See also ACLBR, para. 9; JS6, para. 11; and JS7 para. 3, 4.

- <sup>5</sup> PDH, pp. 6–7.
- <sup>6</sup> PDH, p. 2. See also PDH, pp. 3–5.
- <sup>7</sup> PDH, p. 6.
- <sup>8</sup> PDH, pp. 2–3.
- <sup>9</sup> *The following abbreviations are used in UPR documents:*
- |            |   |
|------------|---|
| ICESCR     | International Covenant on Economic, Social and Cultural Rights                  |
| OP-ICESCR  | Optional Protocol to ICESCR   |
| ICCPR      | International Covenant on Civil and Political Rights                            |
| ICCPR-OP 2 | Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty |
| CRPD       | Convention on the Rights of Persons with Disabilities                           |
- <sup>10</sup> ACLBR, paras. 4–5; AI, p. 4; JS1, para. 30; JS11, para. 18; JS7, paras. 3.12–3.16; JS19, paras. 5–6; UDEFEGUA, para. 3; and JS25, para. 15.
- <sup>11</sup> IACHR, pp. 5–6, and 17, AHR, para. 4.
- <sup>12</sup> AHR, para. II. 27. See also JS11, para. 49.
- <sup>13</sup> AI, p. 7.
- <sup>14</sup> FJEDD, para. 4.
- <sup>15</sup> FJEDD, p. 10.
- <sup>16</sup> JS4, para. 71; JS5, para. 49; and JS18, para. 45.
- <sup>17</sup> JS7, para. 6.5.
- <sup>18</sup> AI, p. 6; JS7, paras. 3.2 and 6.2; JS18, para. 45; and JAI, para. 22. See also AI, para. 7.
- <sup>19</sup> JS7, para. 6.6.
- <sup>20</sup> JS7, paras. 1.8 and 2.1–2.9; JS9, para. 20; JS23, para. 4; AI, p. 4; and JS24, paras. 10–16.
- <sup>21</sup> AI, p. 4.
- <sup>22</sup> JS7, para. 1.9.
- <sup>23</sup> JS7, para. 2.7.
- <sup>24</sup> JS7, para. 6.1.
- <sup>25</sup> JS1, paras. 1–5. See also JS27, pp. 2–3.
- <sup>26</sup> ADF International, paras. 3–9.
- <sup>27</sup> ADF International, paras. 30(A) and (b).
- <sup>28</sup> JS4, para. 69; JS15, p. 10; and JS27, pp. 2 and 14.
- <sup>29</sup> JS15, para. 7.
- <sup>30</sup> ACLBR, paras. 9 and 13–21; JS6, para. 11; JS7, para. 3.4; and JS20, para. 11. See also JS20, paras. 1 and 11.
- <sup>31</sup> JS6, paras. 11–12.
- <sup>32</sup> ACLBR, paras. 14, 18 and 20. See also JS21, para. 44.
- <sup>33</sup> ACLBR, para. 21.
- <sup>34</sup> JS6, para. 28.
- <sup>35</sup> JS6, paras. 28–29.
- <sup>36</sup> AI, para. 8 and JS20, para. 7. See also JS11, para. 47.
- <sup>37</sup> IACHR, p. 8. See also JS23, para. 6.
- <sup>38</sup> JS14, paras. 24–32 and p. 9.
- <sup>39</sup> IHRC-OU, p. 6.
- <sup>40</sup> JS6, para. 19. See also JS27, p. 3.
- <sup>41</sup> JS27, p. 2.
- <sup>42</sup> JS7, paras. 5.2–5.4; MUNISOL, para. 7 and p. 3; JS20, paras. 23–27; JS23, para. 3; and UDEFEGUA, paras. 7–10.
- <sup>43</sup> AI, p. 7.
- <sup>44</sup> JS7, para. 6.4.
- <sup>45</sup> UDEFEGUA, para. 20.
- <sup>46</sup> JS6, para. 6(v). See also JS1, para. 18; JS13, para. 3; and UDEFEGUA, paras. 7–10.
- <sup>47</sup> JS11, paras. 5–40; JS19, paras. 1–5 and 20–25; JS23, paras. 5 and 8; UDEFEGUA, paras. 11–19; and JS25, paras. 1–4. See also JS27, p. 4 and JS1, para. 30.
- <sup>48</sup> AI, p. 3. See also JS19, paras. 7–16 and JS20 p. 10.
- <sup>49</sup> JS11, paras. 10–28 and UDEFEGUA, paras. 11–13. See also JS19, paras. 17–18; JS23, para. 5; and JS25 paras. 15, 17.
- <sup>50</sup> JS11, paras. 41–45. See also UDEFEGUA, para. 36; JS25, paras. 1–4 and 13; JS19, para. 26; and JS20, p. 9.
- <sup>51</sup> JS6, para. 30. See also JS11, para. 49.
- <sup>52</sup> AI, p. 3. See also JS11, paras. 17 and 22–24; JS1, para. 30; and JS19, paras. 7–16.
- <sup>53</sup> AI, p. 7. See also JS9, p. 11; JS11, para. 48; UDEFEGUA, para. 27; and JS19, paras. 26–28.

- 54 IACHR, pp. 10 and 15. See also JS19, paras. 17–19 and 29; JS23, para. 7; and JS25, para. 22.
- 55 IACHR, pp. 13 and 18. See also JS23, para. 12.
- 56 JS25, para. 26.
- 57 JS19, paras. 30–31.
- 58 AHR, paras. 1–4 and I.7. See also JS7, para. 3.3.
- 59 AHR, paras. I.3 and II. 27.
- 60 AI, paras. 9–10.
- 61 JS11, paras. 30–31.
- 62 AI, p. 4.
- 63 AI, pp. 4 and 7.
- 64 JS15, para. 13; OTRANS-RN, para. 10; JS21, paras. 7–18; JS24, para. 28; and UDEFEGUA, paras. 1–6 and 11–15.
- 65 JS7, paras. 1.7, 3.5, and 4.5–4.9. See also JS15, paras. 8 and 13, and JS21, paras. 8–9.
- 66 JS20, paras. 1–32 and JS21, paras. 12–15.
- 67 JS7, paras. 1.6, 3.15 and 4.2. See also JS11, para. 24; JAI, para. 3; and JS15, paras. 8 and 13.
- 68 AI, p. 4 and JS7, paras. 2.2, 2.4, 3.8, and 3.12.
- 69 JS6, para. 6. See also UDEFEGUA, para. 25.
- 70 JS7, para. 6.3.
- 71 JS20, p. 10 and JS27, p. 8.
- 72 JS7, paras. 6.2–6.3. See also JS20, p. 10; JS15, p. 6; and JS27, p. 8.
- 73 JS7, para. 6.2.
- 74 JS15, p. 7. See also JS27, p. 8.
- 75 AI, p. 4; JS13, para. 17; JS20, p. 10; JS21, p. 10; JS24, para 28; UDEFEGUA, para. 23; and JS27, p. 8.
- 76 ADF, para. 30(b).
- 77 JS21, para. 40 and JS22, p. 10.
- 78 JS12, paras. 42 and 52, and JS27, p. 15.
- 79 IHRC-OU, p. 6. See also JS27, p. 15.
- 80 AI, p. 5.
- 81 AI, p. 7.
- 82 JS9, para. 8.
- 83 JS10, paras. 2–12.
- 84 ATRAHDOM, pp. 1 and 3.
- 85 ITUC, p. 7.
- 86 ITUC, pp. 5–7.
- 87 JS7, para. 2.8.
- 88 JS7, para. 6.1. See also ATRAHDOM, p. 2.
- 89 ITUC, pp. 1–3.
- 90 ITUC, pp. 4–5.
- 91 ITUC, p. 7.
- 92 JS16, paras. 4–5.
- 93 JS16, paras. 8–11.
- 94 JS16, paras. 12–14 and 40–42.
- 95 JS16, para. 54.
- 96 ATRAHDOM, pp. 1, 4 and 6.
- 97 JS23, para. 20.
- 98 IACHR, p. 5.
- 99 ACLBR, para. 7. See also JS10, para. 7.
- 100 ACLBR, para. 8.
- 101 JS5, para. 2.
- 102 JS5, para. 6.
- 103 JS5, para. 44.
- 104 JS15, para. 24 and p. 10.
- 105 JS5, paras. 14–15, 21 and 45.
- 106 JS18, paras. 6 and 15.
- 107 JS18, paras. 22, 31 and 40–42.
- 108 JS2, paras. 2–10, 10–13 and 14–21.
- 109 AI, p. 7.
- 110 C-Fam, para. 7. See also JS10, para. 6.
- 111 ADF, paras. 22 and 25. See also JS10, para. 10 and JS27, p. 10.
- 112 ADF, para. 30(e). See also JS27, pp. 9–10.
- 113 JS10, paras. 2–12 and 18; JS24, paras 17–25; and JS26, paras. 6–11.



- 114 JS2, paras. 24–28. See also JS10, paras. 13–15 and JS26, para. 32.  
115 JS10, p. 9.  
116 JS10, paras. 5 and 11 and pp. 9 and 11. See also JS26, paras. 19 and 32.  
117 JS10, p. 10. See also JS21, para. 46 and JS26, para. 27.  
118 JS27, p. 8. See also JS10, paras. 5 and 11 and pp. 9 and 11.  
119 JS10, paras. 22–24. See also JS26, para. 6.  
120 AI, p. 7; JS10, p. 10; and JS26, paras. 15 and 29.  
121 ADF International, paras. 18 – 21; C-Fam, paras. 4 and 8; and ECJL, paras. 7–18.  
122 JS10, para. 8. See also JS26, paras. 31, 36–39, and 42–43; and JS23, para. 14.  
123 JS23, para. 19. See also JS24, para. 29.  
124 JS24, para. 30.  
125 JS4, para. 52.  
126 JS17, paras. 2–19.  
127 JS17, para. 52 and JS2,1 para. 42. See also JS17, paras. 54–55.  
128 JS4, para. 8.  
129 JS4, para. 16.  
130 JS4 para. 64.  
131 JS4, para. 57.  
132 JS4, para. 41 and JS27, pp. 12–13.  
133 IHRC-OU, p. 5.  
134 IHRC-OU, p. 6.  
135 JAI, paras. 4–6.  
136 JAI, paras. 7–10.  
137 JAI, para. 19.  
138 JS15, p. 5.  
139 JS4, para. 21.  
140 AI, paras. 21–22.  
141 AHR, paras. I. 10 – I. 13 and I. 15; JS4, para. 24; JS10, para. 2; JS12, para. 2; and JS26, paras. 17–21.  
142 AHR, para. I. 14. See also JS11, para. 6 and JS26, para. 18.  
143 AI, p. 7; AHR, para. II. 27; and IHRC-OU, p. 6.  
144 AHR, para. II. 27. See also JS12, paras. 20–22.  
145 OCACGT, paras.1–41.  
146 JS14, para. 19.  
147 JS14, p. 9.  
148 JS27, p. 2.  
149 JS21, paras. 1–39.  
150 JS10, para. 17.  
151 AHR, para. I. 17–19.  
152 AHR, para. II. 27.  
153 AI, p. 7. See also JS10, para. 16.  
154 BCPCSG, p. 3. See also JS4, para 47.  
155 BCPCSG, p. 6.  
156 BCPCSG, p. 3.  
157 BCPCSG, p. 4.  
158 BCPCSG, p. 5.  
159 JS26, para. 24.  
160 BCPCSG, p. 6.  
161 JS6, para. 13; JS2, para. 29; and JS15, para. 10.  
162 JS15, paras. 17–21.  
163 JAI, paras. 2 and 15. See also JS15, paras. 8–9 and JS18, paras. 22–23.  
164 JS1, paras. 27–29; JS8, pp. 7–11; JS15, para. 8; JAI, para. 18; MUNISOL, p. 5; and JS27, pp. 7–8.  
165 AHR, para. I. 23–26. See also JS8, pp. 7–8; JAI, para. 16; and JS15, para. 11.  
166 AHR, para. I. 26.  
167 JS15, para. 8.  
168 JS15, para 11. See also MUNISOL, paras. 1–4 and p. 3, and JS27, p. 7.  
169 JS1, paras. 6–10. See also JS13, paras. 1–11.  
170 JS15, p. 4. See also JS18, para. 44 and JS27, p. 7.  
171 AI, p. 8; JS6, para. 22; JS1, para. 5; JS8, pp.7–10; JS13, para. 9; and JS15, p. 5.  
172 JS1, paras. 16–17 and JS6, para. 23. See also JS15, paras. 11–12 and JS27, p. 6.  
173 JS1, paras. 18–20.  
174 AHR, para. II. 27. See also JS1, paras. 18–20.  
175 JS8, pp. 2–8. See also JS27, p. 16.

- <sup>176</sup> JS1, para. 4. See also JS7, para. 4.3; JS8, pp. 2–5; and JS22, paras. 1–6.  
<sup>177</sup> JS8, p. 10. See also JS21, para. 5 and JS27, p. 16.  
<sup>178</sup> JS8, p. 10. See also JS21, para. 5.  
<sup>179</sup> JS1, para. 31. See also JS27, p. 3.  
<sup>180</sup> JS1, para. 32.  
<sup>181</sup> JS1, para. 36.  
<sup>182</sup> JS6, para. 27 and JS10, para. 14.  
<sup>183</sup> JS2, paras. 34–36. See also JS27, p. 9.  
<sup>184</sup> IHRC-OU, p. 6.  
<sup>185</sup> JS10, paras. 5–6.  
<sup>186</sup> JS8, p. 10.  
<sup>187</sup> IHRC-OU, p. 3. See also JAI, para. 21 and MUNISOL, p. 3.  
<sup>188</sup> JS9, paras. 2, 12–14 and 21.  
<sup>189</sup> AHR, para. I. 22. See also JS10, paras. 2–12 and JS26, paras. 12–13.  
<sup>190</sup> JS9, paras. 13 and 21–33.  
<sup>191</sup> JS23, paras. 16–17.  
<sup>192</sup> JS23, paras. 26 and 29; AI, p. 5; and JS9, paras. 21–33. See also JS26, para. 16.  
<sup>193</sup> AI, p. 7.  
<sup>194</sup> AHR, para. I. 20. See also JS9, para. 29.  
<sup>195</sup> JS9, para. 32.  
<sup>196</sup> AHR, paras. I. 21 and II. 27. See also JS9, paras. 12 and 15–18, and AI, p. 7.  
<sup>197</sup> JS23, paras. 32 and 33.  
<sup>198</sup> JS9, p. 11. See also OTRANS-RN, paras. 11–17.  
<sup>199</sup> AHR, para. II. 27 and JS23, para. 40–43.  
<sup>200</sup> AHR para. II.27. See also JS9, p. 12 and AI, p. 7.  
<sup>201</sup> OTRANS-RN, paras. 2–3.  
<sup>202</sup> OTRANS-RN, para. 9.  
<sup>203</sup> OTRANS-RN, para. 4.  
<sup>204</sup> OTRANS-RN, paras. 11–17.  
<sup>205</sup> AI, p. 6. See also ATRAHDOM, p. 5; FJEDD, paras. 1–31; and JS26 para. 21.  
<sup>206</sup> AI, p. 7.  
<sup>207</sup> JS21, para. 43.  
<sup>208</sup> JS23, paras. 22–23.  
<sup>209</sup> JS23, paras. 24–25.  
<sup>210</sup> FJEDD, paras. 1–4.  
<sup>211</sup> FJEDD, paras. 7–13.  
<sup>212</sup> FJEDD, para. 5.  
<sup>213</sup> FJEDD, para. 17.  
<sup>214</sup> FJEDD, paras. 19–22.  
<sup>215</sup> FJEDD, p. 10.  
<sup>216</sup> JS3, p. 5.  
<sup>217</sup> JS3, pp. 2–3.  
<sup>218</sup> JS3, pp. 3–4 and 6.  
<sup>219</sup> JS3, p. 4.  
<sup>220</sup> JS3, p. 7.
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